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IN THE UNITED STATES DISTRICT COURT

DISTRICT OF UTAH

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

MAXWELL ARCHIBALD,

Defendant.

FELONY COMPLAINT

MAGIS NO. 2:24mj814 CMR

VIOS. COUNT 1, 18 U.S.C. § 2119,  
Carjacking;  
COUNT 2, 18 U.S.C. § 924(c), Using,  
Carrying, Brandishing, and discharging  
a Firearm During and in Relation to a  
Crime of Violence.

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**COUNT 1**

(18 U.S.C. § 2119)

Carjacking

On or about August 14, 2024, in the District of Utah,

**MAXWELL ARCHIBALD,**

the defendant herein, knowingly and with intent to cause death and serious bodily harm,  
did take and attempted to take a motor vehicle that has been transported, shipped and

received in interstate, or foreign commerce, from the person and presence of another by force and violence and by intimidation; all in violation of 18 U.S.C. § 2119.

**COUNT 2**

18 U.S.C. § 924(c)

(Using, Carrying, Brandishing and Discharging a Firearm During and in Relation to a Crime of Violence)

On or about August 14, 2024, in the District of Utah,

**MAXWELL ARCHIBALD,**

the defendant herein, during and in relation to a crime of violence, that is, the carjacking described in Count 1 of this Indictment, knowingly used, carried, brandished, and discharged a Glock 22,.40 cal. handgun; all in violation of 18 U.S.C. § 924(c).

**AFFIDAVIT IN SUPPORT OF COMPLAINT AND ARREST WARRANT**

This complaint is based on the following information:

Complainant, Sarah M. Klein, being duly sworn, hereby states the following:

1. I am a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been so employed since April of 2023. I am a graduate of the Criminal Investigator Training Program and ATF Special Agent Basic Training program held at the Federal Law Enforcement Training Center in Glynco, Georgia. I have received specialized training in the enforcement of federal firearm and explosive laws. My duties and responsibilities include participating in the investigation and prosecution of persons who violate federal firearm laws and related federal criminal laws. As an ATF SA, I have participated in the investigation of persons who have violated federal laws. Most of these investigations involved firearms and/or narcotics-related

violations. Pursuant to 18 U.S.C. § 3051, I am empowered to enforce criminal laws of the United States. As a result of my training and experience as an ATF SA, I am familiar with federal laws, including but not limited to the offenses listed above.

2. On August 14, 2024, at approximately 1715 hours, officers with the Unified Police Department responded to an incident in progress at the Maverick located at 7360 S Union Park Ave. Midvale, UT 84047. Upon arrival, Detective Flores assigned to the Unified Police Department's Violent Crimes Unit spoke with the victim of a gunshot wound, hereinafter referred to as PERSON A.

3. PERSON A stated that PERSON A was with two friends, the owner of the vehicle, hereinafter referred to as PERSON B, and the suspect, Maxwell Archibald (ARCHIBALD). PERSON A stated an argument started between PERSON B and ARCHIBALD about who was going to drive Person B's vehicle. PERSON A explained that PERSON B wanted to drive the car because it belonged to PERSON B. ARCHIBALD became increasingly upset and a physical altercation inside the car commenced between PERSON A and ARCHIBALD.

4. ARCHIBALD brandished a firearm and attempted to fire at PERSON A. PERSON A was able to push the firearm away just before it was discharged, causing ARCHIBALD to miss. PERSON A stated that ARCHIBALD fired at him again, shooting him in the arm. PERSON A and PERSON B fled the vehicle and ran away. ARCHIBALD took control of PERSON B's vehicle and drove away.

5. Detective Flores interviewed PERSON B who stated that PERSON B is the

owner of the vehicle. PERSON B stated the ARCHIBALD was arguing about wanting to drive the vehicle which led to the physical altercation between PERSON A and ARCHIBALD. PERSON B saw ARCHIBALD brandish a firearm at which time PERSON B exited the car and ran away. PERSON B called the police and reported the vehicle as stolen.

6. Detective Flores was notified that a traffic stop was attempted to stop ARCHIBALD in the stolen vehicle. ARCHIBALD fled which initiated a pursuit with police. Detective Flores was notified that ARCHIBALD was eventually taken into custody and the firearm utilized in the shooting was recovered after ARCHIBALD attempted to discard the firearm.

7. Detective Flores was notified of another individual taken into custody, later identified as PERSON C, ARCHIBALD's cousin, who was inside the stolen vehicle with ARCHIBALD driving.

8. In an interview with PERSON C, PERSON C, stated he was walking and noticed ARCHIBALD in a car. PERSON C got in the car with ARCHIBALD. PERSON C stated that moments after entering the car and driving away, cops were behind them and attempting to stop the vehicle driven by ARCHIBALD.

9. PERSON C, stated ARCHIBALD did not stop even when PERSON C asked ARCHIBALD to stop. PERSON C stated he saw lights and heard sirens on the police cars.

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10. Based on the foregoing information, your affiant respectfully requests that felony complaint and arrest warrant be issued for MAXWELL ARCHIBALD for a violation of 18 U.S.C Section 2119 and 18 U.S.C Section 924(c).

Dated this 15<sup>th</sup> day of August 2024.

SARAH  
KLEIN

Digitally signed by  
SARAH KLEIN  
Date: 2024.08.15  
11:08:04 -06'00'

Sarah M. Klein  
Special Agent, ATF

Subscribed and sworn to before me, this 16th day of August 2024.



CECILIA M. ROMERO

United States Magistrate Judge

APPROVED:  
TRINA A. HIGGINS  
United States Attorney

CARLOS ESQUEDA

Digitally signed by CARLOS  
ESQUEDA  
Date: 2024.08.15 11:10:55 -06'00'

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Assistant United States Attorney